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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/157,884	09/21/1998	ANDRES VEGA-GARCIA	777.179US1	3059

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EXAMINER

PRIETO, BEATRIZ

ART UNIT PAPER NUMBER

2142

DATE MAILED: 10/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/157,884

Applicant(s)

VEGA-GARCIA ET AL.

Examiner

B. PRIETO

Art Unit

2142

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 October 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: see supplemental advisory.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see supplemental advisory.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.

Claim(s) objected to: none.

Claim(s) rejected: 1-8, 18-26, 28-29 and 31-36.

Claim(s) withdrawn from consideration: none.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Supplemental Advisory Action

1. This communication is in response to amendment after-final mailed 10/07/02, claims 1-8, 18-26, 28-29 and 31-36 remain pending.

2. Amendment raises new issues that require more than nominal consideration. In this case, data type has been amended to read "audio/video protocol type". Amendment will not be entered.

3. Applicant argues (a) prior art of record does not teach claim limitation as recited, specifically, the receiver including demultiplexer for dynamically selecting a subset of the set of data streams", because the multiplexing of the prior art is performed on all video streams and this is not according to applicant a subset.

In response to applicant's argument (a) prior art Smith teaches delivering a media streams comprising video and/or audio (see abstract, col 1/lines 64-67) for delivering a plurality of video and/or audio media data type signals (see Figs. 1-5a, audio and/or video media streams, col 3/lines 20-35) the system comprising; a receiver for receiving the set of data stream from the network (col 20/lines 11-col 21/line 25, transmission/reception processing modules), the receiver including a selectively routing, filtering or separating media streams (i.e. demultiplexing) means (multiplexing (1) means, col 1/lines 53-62, Fig. 21) for dynamically selecting a subset of the set of data streams (dynamic selection (13), means, col 6/lines 49-col 7/line 26, dynamic selection of multiple media streams, see abstract, and multiplexing means col 27/lines 31-55); As applicant concedes all video is a subset of a media stream comprising audio and/or video.

4. Applicant argues (b) prior art of record does not teach claim limitation as recited, specifically, where the receiver including a demultiplexer.

In response to argument b, prior art Smith a receiver for receiving the set of data stream from the network (col 20/lines 11-col 21/line 25, transmission/reception processing modules), the receiver including a selectively routing, filtering or separating media streams (i.e. demultiplexing) means (multiplexing (1) means, col 1/lines 53-col 2/line 6, Fig. 21) for dynamically selecting a subset of the set of data streams (dynamic selection (13), means, col

6/lines 49-col 7/line 26, dynamic selection of multiple media streams, see abstract, and multiplexing means col 27/lines 31-55), two receiving (media-in portion 20, col 7/lines 35-39) including receivers coupled to said demultiplexing means for handling routed data streams (first reception means col 7/lines 58-67, having decoding (28) means, and second reception means col 8/lines 12-22);

5. Applicant argues (c), prior art of record does not teach claim limitation as recited, specifically, two or more corresponding decoders modules for handling and decoding two or more types of the data streams.

In response to argument c, prior art teaches Clapp teaches a computer system comprising two or more receiver payload handler modules and two or more corresponding decoder modules for handling and decoding two or more types of data (Fig. 5, (elements 150, 170, 102, 104, 70)), col 5/lines 1-5, 20-22), Bar teaches selecting (Bar: filtering components (38, 40) determine media type col 9/lines 33-40) a subset of the plurality of audio media data streams (Bar: media data stream selected from a group of audio data, col 2/lines 32-37, selecting by type col 3/lines 25-34) including media data streams of different media data types (Bar: col 6/lines 5-20, selected subset in accordance with different media data stream voice types, channeled per media data stream type, col 7/lines 56-col 8/line 1, 18-24); routing (Bar: filtering (24) passes selected, filtering by type and passing said selected type col 7/lines 56-col 8/line 1 to corresponding relevant module (28) type, of Fig. 2), the selected subset of the plurality of audio media data stream to corresponding decoder modules (G.711, G.722, etc.) in audio codec component (Bar: 102 of Fig. 2, col 13/lines 31-48) based on their media data stream type (Bar: Fig. 5, steps 3-5, determined type, col 10/lines 21-47, media type including standard categories, including audio standards, col 6/lines 5-20, Fig. 2 illustrates routing from module (24) to (28) based on the data type and routing from (28) to corresponding (104) for video and (102) for audio, this is routing based on the data type, whether data type, i.e. audio or video or different audio or video data type standards).

6. Applicant's arguments have been fully considered but not rendered persuasive.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (703) 305-0750. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Mark H. Rinehart can be reached on (703) 305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6606. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Any response to this action should be mailed to:

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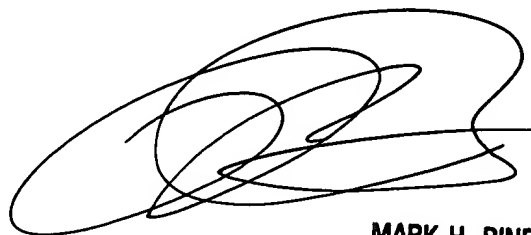
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Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington. VA., Fourth Floor (Receptionist), further ensuring that a receipt is
provided stamped "TC 2100".



B. Prieto
GAU 2142/TC 2100
Patent Examiner
October 21, 2002



MARK H. RINEHART
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